W.P. No. 1937 of 2001 (S/S)
(Old No. 1929 of 1999)

Hon'ble P.C. Verma, J.

Heard learned counsel for the parties.

This writ petition has been filed by the petitioners challenging the date of birth recorded in service book of the petitioner. Original service record relating to petitioner was summoned by this court. It was revealed that same interpolations had taken place in it. Therefore, on the basis of records the date of birth of the petitioner could not be determined. Therefore, this court directed the Chief Medical Officer, Nainital to submit a report after examining the petitioner regarding his age. The Chief Medical Officer, Nainital has sent his report dated 18.9.2001, in which the age of the petitioner has been reported to be 55 (fifty five) years.

The report of C.M.O. Nainital Dt. 18.9.2001 is taken on record.

The report contains the detailed examination conducted by the C.M.O. for determining the age of the petitioner. Report also contains the thumb impression of the petitioner.

In view of this report that the petitioner is fifty five years of age on 18.9.2001, he shall be allowed to continue and he shall serve in the Department till he attains the age of sixty years i.e. the age of superannuation of the petitioner from service.

The petition is disposed of accordingly.

20.9.2001 **Sd/-**
P.Singh